

Remarks/Arguments

This Application has been carefully reviewed in light of the Office Action mailed June 29, 2006 ("Office Action"). At the time of the Office Action, claims 37-75 were pending in this application. Claims 1-36 were cancelled in a previous amendment.

Amendments to the Claims

Applicants have cancelled dependent claim 39 without prejudice and have amended independent claims 37, 57, and 62, as well as dependent claims 38 and 40 to further emphasize patentably distinguishing features of the invention and to provide Applicants with the full scope of protection to which they deem their invention is entitled. These amendments are supported by the by the specification, and no new matter has been added.

Applicants' claims specifically recite features not disclosed or suggested by the prior art of record. Specifically, independent claim 57 recites a method of producing channel letter coil with increased reflectivity in which the channel letter coil, when un-rolled and formed into shapes of individual characters for signs, has increased reflectivity, as compared to the reflectivity achieved in formed shapes of individual characters for signs where reflective coatings or paints are applied to the surface of the formed shapes.

Independent claims 37 and 62 both recite a method of producing signage with increased reflectivity. Specifically, independent claim 37 requires the steps of providing a metal substrate having a first and second surface, disposing a first material upon the first surface, disposing a second material upon the first material, disposing a third material on the second surface wherein the third material is different from the first material, and forming the coated substrate into shapes of individual characters to produce a sign with increased reflectivity. As recited in Applicants' independent claim 37, the third material and the first material are each disposed on opposite sides of the metal substrate, wherein the third material is different from the first material.

Independent claim 62 requires the steps of providing a metal substrate having a first and second surface, disposing a first material upon the first surface of the metal substrate, disposing a second material upon the first material, wherein the second material has a reflective surface, wherein the first material and the second material are disposed to a collective thickness of less than about 1.4 mils and wherein no additional material is required to provide a highly reflective surface to the metal substrate; disposing a third material upon the second surface, wherein the third material is different from the first and second material and wherein the disposed materials and the metal substrate

together form a coated metal substrate; and forming the coated metal substrate into shapes of individual characters to form a channel formation, wherein the channel formation has increased reflectivity, as compared to the reflectivity achieved in a channel formation where reflective coatings or paints are applied to the surface of the channel formation.

None of the prior art discloses or suggests these features.

Section 112 rejections

In the Office Action, the Examiner rejected claims 37-59 and 62 under 35 U.S.C. § 112, first paragraph, based on the allegation that limitations contained in the previously presented claims were not sufficiently described in the specification, specifically the limitation that the channel letter coil has a reflectivity of above 90% as measured by ASTM International criteria. Applicants submit that this limitation is sufficiently described in the specification and satisfies 35 U.S.C. §112, first paragraph. However, independent claims 37, 57 and 62 have been amended to remove the limitation that the finished channel letter coil has a reflectivity of above 90% as measured by ASTM International criteria and as such, Applicants submit that the rejections are rendered moot. For these reasons, Applicants respectfully request that the Examiner withdraw the rejections under Section 112, first paragraph.

The Examiner also rejected claims 37-59 and 62 under 35 U.S.C. §112, second paragraph, based on the limitations of rolling a coated substrate into a coil followed by forming the coil into shapes of individual characters to thereby provide a finished channel letter coil. Applicants have amended the claims to clarify that if the substrate is rolled into a coil, it may be unrolled prior to forming the substrate into shapes of individual characters. Applicants respectfully submit that the claims as amended satisfy 35 U.S.C. §112, second paragraph, and request the Examiner to withdraw the rejections under Section 112, second paragraph.

Section 103 Rejections

In the Office Action, the Examiner alternatively rejected Claims 37-59 and 62 under 35 U.S.C. 103(a) as being unpatentable over Benefiel in view of Maze et al. With respect to the rejections as applied to Claim 39, this claim has been cancelled and as such, Applicants submit that the rejection is rendered moot. Applicants submit that the currently pending claims 37-38, 40-59 and 62 are allowable over the cited references. In an effort to advance this case to allowance, Applicants briefly discuss the main reference cited by the Examiner in support of his rejections, Benefiel (U.S. Pat. No. 5,100,732). Benefiel is directed to a coil coating aluminum

for use as automotive veneer. Applicants submits that there is no disclosure or suggestion in Benefiel for producing channel letter coil, or signage, having increased reflectivity in accordance with the steps provided in Applicants' present claims. As previously pointed out, Benefiel provides a coated veneer to only one surface of a first substrate, the coated veneer to be affixed to a second substrate having substantially the same shape and size as the coated veneer (see Abstract; Fig. 2; Fig. 3; Col. 3, ll. 3-17; Claims). The Examiner argues that the primer coating of the metal substrate in Benefiel is optionally applied to one or both sides of the metal stock to produce a coating having sufficient thickness (see Col. 4, lines 33-35). Even if the metal contains a primer coating on both sides, there is no motivation or suggestion in Benefiel to keep adding coats of material, especially since the underside of the metal will be attached to the automotive substrate (see Figure 3; Col. 6, lines 11-20) and un-seen, and as such, there would be no need to have the additional pigmented layers on the automotive-substrate side of the metal.

In addition, there is no suggestion or motivation for having the materials on opposite sides of the metal surface to be different. Rather, as pointed out above, to the extent that both sides of the metal substrate of Benefiel are coated, they are coated with the same material – the primer. As recited in Applicants' independent claims 37 and 62, the third material and the first material are each disposed on opposite sides of the metal substrate, wherein the third material is *different* from the first material.

Further, Applicants submit that the cited references, either alone or in combination, do not disclose or suggest Applicants' processes, including, among other things, producing a channel letter coil with increased reflectivity, wherein the finished channel letter coil product forms a channel formation having increased reflectivity as compared to the reflectivity achieved in a channel formation where reflective coatings or paints are applied to the surface of the channel formation. Nor do the cited references disclose or suggest even remotely the additional processing steps recited in the independent and dependent claims now pending.

Conclusion

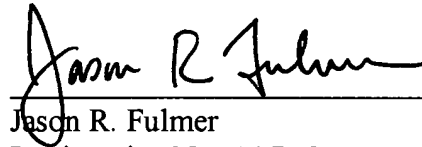
Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact the undersigned at 214-999-4487 at the Examiner's convenience.

Although no fees are believed due other than the additional claim fees and the petition for extension of time, the Commissioner is hereby authorized to charge any other fees or credit any overpayments to Deposit Account No. 07-0153 of Gardere Wynne Sewell LLP.

Dated: December 29, 2006

Respectfully submitted,
GARDERE WYNNE SEWELL LLP

A handwritten signature in black ink, appearing to read "Jason R. Fulmer", is written over a horizontal line.

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